

## **MEDIATION FREQUENTLY ASKED QUESTIONS**

- 1. What if I want to use mediation to address a dispute and the other person doesn't?**

Mediation is voluntary. If one person chooses not to participate, mediation cannot take place.

- 2. What if I am uncomfortable asking the other person if they would be willing to participate in mediation?**

We will contact the other person and ask them if they are willing to participate in a Resolution Conference.

- 3. Can I use mediation to replace or instead of disciplinary action or corrective action?**

No. Mediation cannot be used to replace a disciplinary or corrective action. However, mediation can be very beneficial to those who have received a disciplinary action or are on corrective action to help parties understand the other's view. Mediation also helps improve continuing relationships.

- 4. If I am unable to resolve the conflict through mediation, will the mediator be able to testify in court as to what took place in the mediation?**

No. Mediation is confidential. At the beginning of a resolution conference all participants sign a confidentiality agreement. That agreement includes a clause that prohibits mediators from being asked to testify.

- 5. Do I need an attorney?**

No. Mediation is an informal forum for dispute resolution. An Attorney is not necessary. If an attorney is present their actions will be limited since the disputing parties will be the ones working to resolve the issues..

- 6. Is there a charge for mediation?**

No. Mediation is free to all state employees.

- 7. Where does the Resolution Conference occur?**

Most Resolution Conferences will be held at the Dept. of Human Resource Management in Salt Lake City. If you are at a location outside of the Wasatch Front, or need a more neutral location, one will be located in your area.

- 8. How long does a Resolution Conference last?**

Resolution Conferences are scheduled for 2 hours. However, some complex or emotional issues may require more time. Most conferences usually reach a resolution within 2-3 hours.